

LANCE R. LEFLEUR
DIRECTOR



ROBERT J. BENTLEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

August 30, 2016

Ex. 6 Personal Privacy (PP)

Black Belt Citizens Fighting for Health and Justice
23355 County Rd 53
Uniontown, Alabama 36786

Delivery via e-mail **Ex. 6 Personal Privacy (PP)**

Dear **Ex. 6 Personal Privacy (PP)**

I received your letter dated August 26, 2016 by email on August 29, 2016 concerning proposed Solid Waste Disposal permit 53-03 for the Arrowhead Landfill in Uniontown. Your e-mail made four requests of the Department regarding the proposed permit which will be the subject of a public hearing scheduled for September 6, 2016 in Uniontown and of a public comment period through September 13, 2016.

You requested two copies of the permit application and the ADEM Solid Waste regulations be placed at the Uniontown public library; dissemination of a fact sheet by ADEM concerning the draft permit and permit application; a public meeting by ADEM to answer questions from the public concerning the draft permit; and a 30-day extension of the public comment period. This letter addresses each of your requests individually:

First, copies of the draft permit and application for this facility, as well as all proposed solid waste permit renewals, have been and continue to be available for review both on the ADEM website (<http://www.adem.alabama.gov>) and at our Montgomery office during normal business hours. Per your request, members of the Department staff delivered copies of these documents and of the ADEM Solid Waste Program regulations to the Uniontown Public Library today for review by interested parties.

Second, ADEM has prepared a Fact Sheet (attached) and a Glossary of Terms (attached) in anticipation of the September 6, 2016 public hearing. Copies of these documents will be available at the hearing, but per your request they are being made available to you now and will also be available at the library.

Third, despite numerous public meetings and hearings related to this facility over the past ten years held by ADEM, EPA and the Perry County Commission, as well as numerous written information exchanges such as fact sheets, press releases and direct correspondence with members of your organization and others within the community, your letter expresses a need for additional information exchange. Therefore, the Department has scheduled a public meeting at the Uniontown City Hall for September 29, 2016. This meeting will provide an additional opportunity for interested parties to ask questions of ADEM staff and representatives of the applicant concerning the renewal application and draft permit.

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)

Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
(251) 304-1189 (FAX)

Ex. 6 Personal Privacy (PP)

Black Belt Citizens Fighting For Health and Justice

8/30/2016

Page 2 of 2

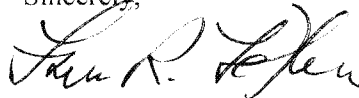
Fourth, we disagree strongly with your characterization that there has been a lack of prior assistance in the community. There have been numerous outreach efforts conducted in the past in Uniontown, including not only those mentioned above specific to the landfill, but also a citizen training event conducted by ADEM staff about where and how to access information on the Department's website, and a public forum conducted on ADEM's behalf by Auburn University regarding a statewide study on solid waste management processes. A list of 23 outreach activities conducted in Uniontown, which was also included in a response to an Earthjustice letter on behalf of some of your organization's members, is attached. Moreover, despite being party to a Civil Rights complaint filed against ADEM regarding the landfill, members of your organization and other interested parties on numerous occasions have been extended an open invitation to meet with me personally to address any topic. Members of your organization accepted this invitation on one occasion. For these reasons, your reference to "ADEM's lack of prior assistance to the community" as justification for an extension of the comment period is clearly without basis.

Nevertheless, despite the Department currently providing a 48-day public comment period which exceeds the required 35-day comment period by nearly two weeks, and your request being made 7 days before the public hearing the Department will grant your request for an additional 30-day extension of the comment period. Steps have been taken to notify interested parties that the Department will accept public comments on the draft permit through October 13, 2016. Notice of the referenced public meeting and the close of the comment period will be given in local newspapers and on the ADEM website. We will also announce both of these dates at the public hearing on September 6.

Finally, I would also point out that modifications that differentiate the proposed permit from the current existing permit include first, a change in the bottom elevations of disposal cells not yet constructed which will result in a reduction in the total disposal capacity of the landfill and second, an increase in the rigor of the groundwater monitoring requirements applicable under the permit. These more robust groundwater monitoring requirements are proposed to be consistent with the groundwater monitoring requirements under the federal coal ash disposal facility regulations, despite neither this nor similar municipal solid waste landfills being subject to those EPA regulations.

I trust this satisfactorily addresses your requests. Please contact Eric Sanderson of the ADEM Solid Waste Branch at 334-271-7755 or via e-mail at els@adem.alabama.gov should you have any further questions.

Sincerely,



Lance R. LeFleur
Director

LRL/PDD/ghe

Attachments (3)

Fact Sheet

Arrowhead Landfill Permit Number: 53-03

The proposed permit is a renewal and modification of the Arrowhead Landfill Solid Waste Disposal Permit. This is a renewal of the permit issued in September 2011. The proposed modifications include:

- The raising of the bottom elevation of future disposal areas of the landfill previously reviewed and approved resulting in a reduction of overall landfill disposal capacity of nearly 9 million cubic yards.
- The adding of several contaminants to the required semi-annual groundwater monitoring requirements.
- Several technical and administrative updates and revisions to the closure plan, stormwater management plan, operational plan and other documents made necessary by the construction and operation of the facility.

Timeline:

September 13, 2005 - Perry County Commission granted Local Approval for the Arrowhead Landfill.

July 6, 2006 – Solid Waste Permit Issued.

September 27, 2011 – Solid Waste Permit Renewed

March 30, 2016 – Renewal Application including modification request submitted to ADEM.

Facility: Permitted Boundary: 973.85 acres; Waste Disposal Area: 425.33 acres

Waste Stream: Household garbage and approved non-hazardous wastes

Waste Disposal Volume: 15,000 tons/day authorized; 123 tons/day actual (approx. 83% from Alabama)
No out-of-state waste disposed of at landfill from February through June 2016.

Service Area: Established by the Perry County Commission as all states east of the Mississippi River, plus Louisiana, Arkansas, Missouri, Oklahoma, Iowa, Minnesota, and Texas;

Financial Assurance: Closure : \$2.4 million; Post Closure Care: \$1.8 million

Leachate Collection System: Leachate collected and treated offsite at the Demopolis WWTP.

Liner: Compacted clay and plastic

ADEM Inspection Frequency: At least once every 3 months

Monitoring:

- Groundwater monitoring Groundwater sampled twice a year and results reported to ADEM. Sampling shows compliance with permit.
- Explosive gas monitoring Gas sampled once every three months and results reported to ADEM. Sampling shows compliance with permit.
- Volume Reports The amount of waste disposed at the landfill is reported to ADEM every three months. Reports show compliance with permit.
- Water Discharge Responsibility of the ADEM Water Division under Water Permits ALG-160167 and IU 39-53-00144.
- Air Emissions: Responsibility of the ADEM Air Division under Air Permit 107-0003.

Glossary of Terms

Closure – Operational requirements, including final cover, to ensure human health and the environment is protected once the landfill stops taking waste.

Daily Cover – Layer of compressed soil or other approved material which is placed on top of each day's placement of waste to reduce odors and prevent scavenging.

Financial Assurance – Funds set aside by the landfill to cover the cost of closure and post-closure care.

Final Cover – A multilayered system of materials used to prevent rain water entering the landfill, minimize erosion, and control the release of landfill gas after closure of the landfill.

Gas Monitoring System – Series of wells to measure the amount of methane gas emitted from the landfill.

Groundwater Monitoring System – Series of wells to detect potential contamination from the landfill to groundwater.

Local Approval – Local host government responsible for approving the landfill service area, facility type, waste disposal volume, and permit boundary, prior to ADEM permit process.

Non-Contact Storm Water – Rain water that does not come into contact with waste.

Leachate – Any liquid that has contact with waste.

Leachate Collection System – Pipes and pumps that collect leachate from the landfill for treatment.

Liner System – Plastic barrier installed between the waste and soil to prevent groundwater contamination.

Local Host Government – Governing body responsible for granting local approval of landfill prior to ADEM permit process. Perry County Commission is the Local Host Government responsible for granting local approval of the Arrowhead Landfill.

Methane Gas – Produced as bacteria breaks down waste in a landfill.

Permit Boundary – Area which solid waste management activities occur including waste disposal, storm water management, leachate handling, sediment ponds, scales, and maintenance shops.

Post Closure Care – Long term (at least 30 years) monitoring, maintenance, and reporting requirements once the landfill stops taking waste.

Service Area – Areas approved by the Local Host Government to send waste to the landfill for disposal

Solid Waste Disposal Permit – State issued permit which outlines the conditions a landfill must meet to ensure protection of human health and the environment.

Waste Disposal Area – Area as approved by the Local Host Government within the permitted boundary of the landfill for disposing of waste.

Waste Disposal Volume – Amount of waste (daily average in tons) as approved by the Local Host Government that can be disposed in the landfill.

Uniontown Community Outreach

June 2009 – Meeting with EPA and citizens about EPA's decision to send the CERCLA remediation waste from Kingston, TN, to Arrowhead Landfill

September 16, 2009 – Follow-up meeting with EPA CERCLA, ADEM, and community

June 5, 2011 – Public Listening Session

June 16, 2011 – Tour of Uniontown community and landfill site visit with EPA RA

July 14, 2011 – Public Hearing for Arrowhead landfill Permit Renewal

December 22, 2011 – Public Hearing for Major Modification (Arrowhead Landfill Expansion)

April 30, 2012 – Meeting with Uniontown Mayor and John Stevens of Sentell Engineering to discuss waste water treatment plant compliance status

June 11, 2012 – Meeting in Uniontown with the Mayor and City Council members and USDA to discuss funding options for compliance

September 19, 2012 – Alabama Solid Waste Study interview session held in Uniontown

July 25, 2013 – EPA EJ meeting in Uniontown (ADEM attended but did not participate)

August 8, 2013 – Meeting in Uniontown with [Ex. 6 Personal Privacy (PP)] to discuss citizen concerns

August 8, 2013 – Meeting in Uniontown with Uniontown leaders and their engineers to discuss waste water treatment plant compliance status

October 18, 2013 – Meeting with Uniontown citizens after AEMC Meeting to discuss sprayfields concerns

November 20, 2013 – Uniontown lead meeting regarding waste water treatment plant lagoon and sprayfields

December 12, 2013 – Meeting with citizens to discuss Uniontown waste water treatment plant lagoon and sprayfields

Early 2014 – Public meeting with [Ex. 6 Personal Privacy (PP)] ADEM present and engaged with Uniontown citizens)

February 25, 2014 – Public meeting/training on ADEM's E-File system at Uniontown library

March 3, 2014 – Meeting to discuss options for disposal of Uniontown wastewater and to achieve compliance with NPDES permit

April 11, 2014 – Regular meeting with environmental groups with Uniontown citizens in attendance

August 6, 2014 – Regular meeting with environmental groups with Uniontown citizens in attendance

April 17, 2015 – Regular meeting with environmental groups with Uniontown citizens in attendance

December 18, 2015 – Regular meeting with environmental groups attended by Ex. 6 Personal Privacy (PP) but no one from Uniontown

September 6, 2016 – Public Hearing Scheduled for landfill Permit Renewal and Modification